

**U.S. DEPARTMENT OF ENERGY  
OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY  
NEPA DETERMINATION**



**RECIPIENT** Public Service Commission of Wisconsin

**STATE:** WI

**PROJECT TITLE :** Community Resilience Center - Lake Mills Area School District - EIGP 2023

**Notice of Funding Opportunity Number**  
SEP-IJAALRD

**Procurement Instrument Number**  
DE-EE0010109

**NEPA Control Number**  
GFO-0010109-004

**CID Number**

**Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Policy 451.1), I have made the following determination:**

**CX, EA, EIS APPENDIX AND NUMBER:**

Description:

**A9 Information gathering, analysis, and dissemination**

Information gathering (including, but not limited to, literature surveys, inventories, site visits, and audits), data analysis (including, but not limited to, computer modeling), document preparation (including, but not limited to, conceptual design, feasibility studies, and analytical energy supply and demand studies), and information dissemination (including, but not limited to, document publication and distribution, and classroom training and informational programs), but not including site characterization or environmental monitoring. (See also B3.1 of appendix B to this subpart.)

**B5.1 Actions to conserve energy or water**

(a) Actions to conserve energy or water, demonstrate potential energy or water conservation, and promote energy efficiency that would not have the potential to cause significant changes in the indoor or outdoor concentrations of potentially harmful substances. These actions may involve financial and technical assistance to individuals (such as builders, owners, consultants, manufacturers, and designers), organizations (such as utilities), and governments (such as state, local, and tribal). Covered actions include, but are not limited to weatherization (such as insulation and replacing windows and doors); programmed lowering of thermostat settings; placement of timers on hot water heaters; installation or replacement of energy efficient lighting, low-flow plumbing fixtures (such as faucets, toilets, and showerheads), heating, ventilation, and air conditioning systems, and appliances; installation of drip-irrigation systems; improvements in generator efficiency and appliance efficiency ratings; efficiency improvements for vehicles and transportation (such as fleet changeout); transportation management systems (such as traffic signal control systems, car navigation, speed cameras, and automatic plate number recognition); development of energy-efficient manufacturing, industrial, or building practices; and small-scale energy efficiency and conservation research and development and small-scale pilot projects. Covered actions include building renovations or new structures, provided that they occur in a previously disturbed or developed area. Covered actions could involve commercial, residential, agricultural, academic, institutional, or industrial sectors. Covered actions do not include rulemakings, standard-settings, or proposed DOE legislation, except for those actions listed in B5.1(b) of this appendix.

(b) Covered actions include rulemakings that establish energy conservation standards for consumer products and industrial equipment, provided that the actions would not:

1. Have the potential to cause a significant change in manufacturing infrastructure (such as construction of new manufacturing plants with considerable associated ground disturbance);
2. involve significant unresolved conflicts concerning alternative uses of available resources (such as rare or limited raw materials);
3. have the potential to result in a significant increase in the disposal of materials posing significant risks to human health and the environment (such as RCRA hazardous wastes); or

4. have the potential to cause a significant increase in energy consumption in a state or region.

#### **B5.16 Solar photovoltaic systems**

(a) The installation, modification, operation, or decommissioning of commercially available solar photovoltaic systems:

1. Located on a building or other structure (such as rooftop, parking lot or facility, or mounted to signage, lighting, gates, or fences); or
2. Located within a previously disturbed or developed area.

(b) Covered actions would be in accordance with applicable requirements (such as land use and zoning requirements) in the proposed project area and the integral elements listed at the start of appendix B of this part, and would be consistent with applicable plans for the management of wildlife and habitat, including plans to maintain habitat connectivity, and incorporate appropriate control technologies and best management practices.

#### **B5.23 Electric vehicle charging stations**

The installation, modification, operation, and removal of electric vehicle charging stations, using commercially available technology, within a previously disturbed or developed area. Covered actions are limited to areas where access and parking are in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.

#### **Rationale for determination:**

The U.S. Department of Energy (DOE) is proposing to provide federal funding to the Public Service Commission of Wisconsin (PSCW) for the design and installation of two rooftop solar photovoltaic (PV) system. One of the systems would be installed at the Lake Mills Middle School in Lake Mills, WI and the other system would be installed at the Lake Mills Elementary School, also in Lake Mills, WI.

The proposed Middle School PV system would include a 261 kW DC/200 kWAC PV array estimated to produce 292 MWh/year. This system would include 580, 450W PV modules, module optimizers, two inverters, and a racking system. The battery system would consist of two 125kW inverters and two 233kWh Lithium Iron Phosphate Fortress Power units. The inverters would be installed in the electrical room adjacent to the main disconnect panel. The batteries and battery inverters would be installed adjacent to the critical loads panels in the gym and cafeteria.

The proposed Lake Mills Elementary School system would include a 126.9 kW DC/100 kWAC PV array estimated to produce 142 MWh/year. This system would include 282, 450W PV modules, module optimizers, an inverter, and racking system appropriate to the roof. The inverter would be installed in the electrical room adjacent to the main disconnect panel. An electrical line will be bored approximately 246 feet through pre-disturbed, asphalt-paved ground for two Level 2 EV outlets in the back parking lot of the elementary school.

The US Fish and Wildlife Service's Information for Planning and Consultation (IPaC) website identifies one bird, two insects and two plants that have home ranges overlapping both the elementary school and middle school project sites. The IPaC cites a non-essential experimental population of whooping crane in proximity to the sites. This designation affords species protection on National Wildlife Refuges and National Park land exclusively, which does not occur at the sites. The rusty-patched bumble bee is a federally endangered species that inhabits mixed woodlands, gardens and urban parks. No habitat for this species persists at the site and it is not expected to occur in the vicinity of the two schools. The monarch butterfly is a federal candidate species and is not currently afforded protection under the Endangered Species Act. This species occurs a variety of habitats that include patches of milkweed during the local activity season and while this habitat may be in close proximity to the two schools, no impacts to natural habitat are expected as a result of project implementation. The eastern prairie fringed orchid and prairie bush-clover are two federally threatened plant species that occur within prairies. This habitat type does not persist within either project area and no impacts to this species are expected as a result. The proposed project site is outside of the critical habitat of all IPaC listed species. Accordingly, DOE has determined there would be no effect on federally listed threatened or endangered species. Further, DOE does not anticipate adverse impacts to migratory bird species.

There are no wetlands at either the Lake Mills Elementary School and the Lake Mill Middle School project areas and they do not occur within the 100-year floodplain.

Consultation with the Wisconsin Historical Society (the State Historic Preservation Office; SHPO) was initiated by the PSCW on July 24th, 2024, and completed on July 26th, 2024. The Historical Society found that no eligible properties would be affected by the project because none are present within the area of potential effect.

Follow up consultation with the SHPO was initiated by the PSCW on April 17th, 2025, and was completed on the same day. This follow up consultation was in reference to the potential for archaeological resource impacts related to the proposed trenching activities at the elementary school associated with the installation of the two Level 2 EV charge ports. The SHPO deemed no eligible properties would be affected as a result of these activities and that the recipient has fulfilled section 106 follow up consultation.

While the SHPO's response in both consultation efforts state that Section 106 of the National Historic Preservation Act (NHPA) have been completed, they further note that if project plans change or cultural materials/human remains are found during project implementation, project work should be halted, and the Historical Society be contacted.

Installation of the proposed project may involve the use of heavy equipment and working with electricity. Trenching at the elementary school would include excavation between the main electrical service point of the elementary school to the EV outlet that would be approximately 30 inches deep, two feet wide, and 246 feet long. Potential hazards would be mitigated through adherence to established institutional health and safety policies and procedures. The recipient would adhere to all applicable federal, state, and local health, safety, and environmental regulations. Any changes to the project activities or locations are subject to additional NEPA review by DOE and are not authorized for federal funding unless and until the Contracting Officer provides written authorization on those additions or modifications. Any and all permits required for the execution of the project at the above-referenced locations would be the responsibility of the recipient.

DOE has considered the scale, duration, and nature of proposed activities to determine potential impacts on resources, including those of an ecological, historical, cultural, and socioeconomic nature. DOE does not anticipate impacts on these resources that would be considered significant or require DOE to further consult with agencies or stakeholders.

Any changes to the project activities or location are subject to additional NEPA review by DOE and are not authorized for federal funding unless and until the Contracting Officer provides written authorization.

EERE is aware of the November 12, 2024, decision of *Marin Audubon Society v. FAA*, No. 23-1067 (D.C. Cir. Nov. 12, 2024). To the extent that a court may conclude that the Council on Environmental Quality (CEQ) regulations implementing NEPA are not judicially enforceable or binding on this agency action, EERE has nonetheless elected to follow those regulations at 40 C.F.R. Parts 1500-1508, in addition to DOE's procedures/regulations implementing NEPA at 10 C.F.R. Part 1021, to meet the agency's obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

## NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

1. The recipient must adhere to the terms and restrictions of their DOE-executed Historic Preservation Programmatic Agreement, available at [https://www.achp.gov/sites/default/files/prototype\\_programmatic\\_agreements/2018-07/DOE%20Prototype%20PA%20Final\\_Complete.pdf](https://www.achp.gov/sites/default/files/prototype_programmatic_agreements/2018-07/DOE%20Prototype%20PA%20Final_Complete.pdf).
2. If during project activities the recipient or their contractors encounter any cultural materials (i.e. historic or prehistoric), all activities must cease in the vicinity of the discovery immediately. The recipient must inform the SHPO and DOE Project Officer of the discovery so that an evaluation of the discovery can be completed prior to continuing work.
3. The recipient is responsible for reviewing the online NEPA and Historic preservation training at [www.energy.gov/node/4816816](http://www.energy.gov/node/4816816) and contacting [gonepa@ee.doe.gov](mailto:gonepa@ee.doe.gov) with any NEPA or general historic preservation questions.

Notes:

Office of State and Community Energy Programs – State Energy Programs  
(State Energy Program Transformation & Planning)  
NEPA review completed by Chris Akios, 5/5/2024

## FOR CATEGORICAL EXCLUSION DETERMINATIONS

The proposed action (or the part of the proposal defined in the Rationale above) fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D. To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposal.

The proposed action has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

The proposed action is categorically excluded from further NEPA review.

## SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: \_\_\_\_\_



Matthew Blevins

NEPA Compliance Officer

Date: 5/9/2025

## FIELD OFFICE MANAGER DETERMINATION

- ☒ Field Office Manager review not required  
☐ Field Office Manager review required

## BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature: \_\_\_\_\_

Field Office Manager

Date: \_\_\_\_\_